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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,682	11/20/2001	Raymond Clarke	13282-2	9733
23676 7590 11/12/2008 SHELDON MAK ROSE & ANDERSON PC 100 Corson Street Third Floor PASADENA, CA 91103-3842				
EXAMINER WEINSTEIN, STEVEN L.				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
11/12/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09989682	11/20/2001	CLARKE, RAYMOND	13282-2

SHELDON MAK ROSE & ANDERSON PC  
100 Corson Street  
Third Floor  
PASADENA, CA 91103-3842

## EXAMINER

Steven L. Weinstein

ART UNIT	PAPER
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1794

20081110

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

## Commissioner for Patents

This application is in condition for allowance except for the presence of claims 21,24,35-38,45 and 46, all directed to an invention non-elected with traverse in the reply filed on 7/18/08.

The traverse has been fully and carefully considered but is not found to be convincing. The restriction is proper for the reasons given in the Office action mailed 6/27/08. The restriction requirement not only establishes one way distinctness but two way distinctness as well. The restriction requirement is therefore made Final.

Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

/Steve Weinstein/  
Primary Examiner, Art Unit 1794